



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5492

by Rep. Barbara Flynn Currie

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/5-25

Amends the Illinois Procurement Code. Provides that, upon request, the Director or Secretary of the State agency shall appear before the Procurement Policy board at a regularly scheduled meeting of the board to address any questions or concerns of the board. Effective immediately.

LRB098 18403 JWD 53540 b

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by  
5 changing Section 5-25 as follows:

6 (30 ILCS 500/5-25)

7 Sec. 5-25. Rulemaking authority; agency policy; agency  
8 response.

9 (a) Rulemaking. A chief procurement officer authorized to  
10 make procurements under this Code shall have the authority to  
11 promulgate rules to carry out that authority. That rulemaking  
12 on specific procurement topics is mentioned in specific  
13 Sections of this Code shall not be construed as prohibiting or  
14 limiting rulemaking on other procurement topics.

15 All rules shall be promulgated in accordance with the  
16 Illinois Administrative Procedure Act. Contractual provisions,  
17 specifications, and procurement descriptions are not rules and  
18 are not subject to the Illinois Administrative Procedure Act.  
19 All rules other than those promulgated by the Board shall be  
20 presented in writing to the Board and the Executive Procurement  
21 Officer for review and comment. The Board and the Executive  
22 Procurement Officer shall express their opinions and  
23 recommendations in writing. The proposed rules and

1 recommendations shall be made available for public review. The  
2 rules shall also be approved by the Joint Committee on  
3 Administrative Rules.

4 (b) Policy. Each chief procurement officer shall promptly  
5 notify the Procurement Policy Board in writing of any proposed  
6 new procurement rule or policy or any proposed change in an  
7 existing procurement rule or policy.

8 (c) Response. Each State agency must respond promptly in  
9 writing to all inquiries and comments of the Procurement Policy  
10 Board or Executive Procurement Officer and, upon request, the  
11 Director or Secretary of the State agency shall appear before  
12 the Board at a regularly scheduled meeting of the Board to  
13 address any questions or concerns of the Board.

14 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
15 for the effective date of changes made by P.A. 96-795).)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.